

**FILED**  
 UNITED STATES DISTRICT COURT  
 ALBUQUERQUE, NEW MEXICO

MAY 24 2023

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

MITCHELL R. ELFERS  
 CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**NATHANIEL BEGAY,**

Defendant.

CRIMINAL NO. 23-754 DHU

Count 1: 18 U.S.C. §§ 1153 and  
 113(a)(3): Assault with a Dangerous  
 Weapon;

Count 2: 18 U.S.C. §§ 1153, 113(a)(3),  
 and 3559(f)(3): Assault with a Dangerous  
 Weapon;

Count 3: 18 U.S.C. § 924(c)(1)(A)(iii):  
 Using and Carrying a Firearm During and  
 in Relation to a Crime of Violence, and  
 Possessing a Firearm in Furtherance of  
 Such Crime; Discharging Said Firearm.

### INDICTMENT

The Grand Jury charges:

#### Count 1

On or about April 28, 2022, in Indian Country, in San Juan County, in the District of New Mexico, the defendant, **NATHANIEL BEGAY**, an Indian, assaulted Jane Doe 1, John Doe 1, and John Doe 2, with a dangerous weapon, specifically, a pistol, with intent to do bodily harm.

In violation of 18 U.S.C. §§ 1153 and 113(a)(3).

#### Count 2

On or about April 28, 2022, in Indian Country, in San Juan County, in the District of New Mexico, the defendant, **NATHANIEL BEGAY**, an Indian, assaulted John Doe 3, John Doe 4, Jane Doe 2, Jane Doe 3, and Jane Doe 4, all individuals under the age of 18, with a dangerous weapon, specifically, a pistol, with intent to do bodily harm.

In violation of 18 U.S.C. §§ 1153, 113(a)(3), and 3559(f)(3).

Count 3

On or about April 28, 2022, in Indian Country, in San Juan County, in the District of New Mexico, the defendant, **NATHANIEL BEGAY**, knowingly used and carried a firearm, during and in relation to a crime of violence for which the defendant may be prosecuted in a court of the United States, specifically, assault with a dangerous weapon as charged in Counts 1 and 2 of this indictment, and possessed said firearm in furtherance of such crimes, and the firearm was discharged.

In violation of 18 U.S.C. § 924(c)(1)(A)(iii).

FORFEITURE ALLEGATION

Upon conviction of any offense in violation of 18 U.S.C. § 924(c), the defendant, **NATHANIEL BEGAY**, shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), any firearms and ammunition involved in the commission of the offense, including, but not limited to:

- a. A black Glock 9mm handgun used by **NATHANIEL BEGAY** on April 28, 2022;  
and
- b. A black Glock .45 handgun used by **NATHANIEL BEGAY** on April 28, 2022.

A TRUE BILL:

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FOREPERSON OF THE GRAND JURY

  
Assistant United States Attorney